

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JOSEPH JOHNSON,

**23-CV-1156 (AS) (VF)**

Plaintiff,

-against-

**ORDER**

STARWOOD HOTELS & RESORTS  
WORLDWIDE, LLC,

Defendants.

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**VALERIE FIGUEREDO, United States Magistrate Judge.**

Plaintiff filed a motion seeking that the court conduct “a full investigation of General Manager” for firing “witness Peter Roman” and “ARREST the GM for breaking the law.” ECF No. 124; ECF No. 125 at 1-2. Plaintiff purports to file this motion under Federal Rule of Civil Procedure 26 (see ECF No. 124), but this motion is not an appropriate use of Rule 26. Rule 26 outlines how parties can obtain discovery surrounding claims and defenses in the action. See Shaw v. Hornblower Cruises & Events, LCC, No. 21-CV-10408 (VM), 2023 WL 2330368, at \*2 (S.D.N.Y. Mar. 2, 2023) (“Federal Rule of Civil Procedure 26 . . . which governs discovery, provides that ‘[p]arties may obtain discovery regarding any nonprivileged matter that is relevant to any party’s claim or defense and proportional to the needs of the case.’”) (quoting Fed. R. Civ. P. 26(b)(1)). This motion does not appear to relate to a claim or defense in this case, and, in any case, the Court cannot conduct the investigation Plaintiff demands.


Plaintiff also appears to seek, under 18 U.S.C. § 1503, relief for “obstruction of justice.” See ECF No. 126. This statute, however, does not provide a civil cause of action. See HAHAGlob., Inc. v. Barclays, No. 19-CV-04749 (VEC) (SDA), 2020 WL 13882092, at \*4 (S.D.N.Y.

July 9, 2020) (“Plaintiffs cannot bring claims pursuant to the federal obstruction of justice statute, 18 U.S.C. § 1503 . . . as there is no private civil right of action under [this] statute[.]”).

Plaintiff’s motions at ECF Nos. 124 and 126 are thus denied. The Clerk of Court is respectfully directed to terminate the gavels at ECF Nos. 124 and 126.

**SO ORDERED.**

DATED: New York, New York  
February 18, 2025

  
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VALERIE FIGUEREDO  
United States Magistrate Judge